

**City Council**

**Jose Esteves, Mayor**

**Armando Gomez, Vice Mayor**

**Robert Livengood, Councilmember**

**Althea Polanski, Councilmember**

**Debbie Giordano, Councilmember**



**CITY OF MILPITAS**

**SPECIAL CITY COUNCIL MEETING AGENDA**

**Tuesday, September 12, 2006**

**6:00 PM**

**Council Chambers, City Hall**

**455 E. Calaveras Boulevard**

**I. ROLL CALL AND PLEDGE OF ALLEGIANCE**

**II. Public Forum**

*Public comments may be made regarding any subject not on the agenda. Please limit remarks to three minutes or less.*

**III. PLANNING COMMISSION INTERVIEWS**

- A. Announce Schedule of Interviews
- B. Conduct Applicant Interviews
- C. Appoint Planning Commission Alternate Member

**IV. ADJOURNMENT**

**KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

**FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: [rpioroda@ci.milpitas.ca.gov](mailto:rpioroda@ci.milpitas.ca.gov) / Fax 408/586-3030 / Phone 408/586-3040

*A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) Select Open Government Ordinance under News Features*

## **AGENDA REPORT**

### **Interviews and Appointment of new Planning Commission Alternate Member - One Vacancy (Staff Contact: Mary Lavelle, 586-3001)**

**Background:** On March 7, 2006, the City Council adopted Ordinance No. 273 (copy attached) calling for a new position of alternate member on the Milpitas Planning Commission. Thirty days following its adoption, the ordinance became effective. Two new applications were received by the City Clerk since the vacancy was announced. Also, the Council directed the City Clerk to contact applicants from last year who interviewed for the vacant Planning Commission seats at that time, to inquire if they were interested to interview again for the new alternate seat.

Six candidates were invited to the interviews on this date. Three confirmed they wish to be interviewed: Russ Bargstadt, Bill Ferguson, and Patrick (Phu) Le. One invited candidate remained to confirm or decline the interview.

You may wish to note that Ordinance No. 273 specifies the term of office for a regular and alternate Planning Commissioner shall be from January 1 to the 31<sup>st</sup> day of December of the third year thereafter.

As a reminder to the City Council, the last time interviews were held in November of 2005, the following steps were implemented for Planning Commission appointments:

1. Decided to conduct interviews of interested candidates in mid-November. Incumbent Planning Commissioners and any other Milpitas residents were invited to apply.
2. Interviews were conducted at a special meeting on November 30. Following the interviews, the City Council, by a majority vote, appointed three of the applicants to serve on the Planning Commission.
3. Outreach into the community for applicants included a newspaper ad, use of the City marquee and cable Channel 15 ads. Councilmembers were encouraged to do outreach into the community using their own resources.
4. Successful candidates were sworn in and seated at the first Planning Commission meeting in January 2006.

The following is a list of Planning Commission Alternate Member applicants:

1. Mr. Bill Ferguson
2. Mr. Russel C. Bargstadt
3. Mr. Jay (Vadan) Itchhaporia
4. Dr. Patrick (Phu) H. Le

### **Recommendations:**

1. Determine order of interviews (random selection by City Clerk).
2. Conduct interviews of the candidates.
3. Move to appoint one person as the Alternate Member on the Planning Commission, to a three-year term commencing on Jan. 1, 2007 and expiring on Dec. 31, 2009.